

# Lawyers Plead for Test of Thaw's Sanity Before a Jury

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The



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## 12 BIG BRITISH WARSHIPS BATTLED WITH KAISER'S SQUADRON OF EIGHT

### CONFINE THAW IN BELLEVUE WHILE JURY TESTS SANITY, IS PLEA OF HIS LAWYERS

Jerome 'Protests and Wants Him Sent to Matteawan to Await Trial.

DECISION WEDNESDAY.

Stanchfield Insists Code Calls for an Examination. Before Trial.

Harry K. Thaw went back to his cell in the Tombs at noon to-day to await the decision of Justice Vernon M. Davis as to whether he shall go back to Matteawan, as Mr. Jerome insists, or be committed to the custody of the trustees of Bellevue Hospital, as John B. Stanchfield, Thaw's counsel, insists. Thaw's lawyers want the question of his sanity thrashed out before a jury.

Thus far Thaw's lawyers have failed to obtain his release on habeas corpus proceedings, and they seem to believe that his chances of gaining liberty would be greater at the hands of a jury. All this will be settled by Justice Davis and announced in court on Wednesday morning, until which time Thaw will remain in his old cell in the Tombs. The rules there are not so easy as they used to be, and Bellevue Hospital or almost any other place would afford a welcome change.

Thaw was arraigned in the Supreme Court before Justice Davis at 11 o'clock to-day to plead to an indictment charging him with conspiracy to escape from Matteawan Insane Asylum.

THAW'S LAWYERS TAKE HIM IN HAND. Thaw was eager, but quite composed, as he entered the court room. He went at once to Mr. Stanchfield and Judge O'Brien, who took him to a seat in a corner and talked to him earnestly and in an advisory way. Thaw apparently started to argue a couple of times, but the lawyers resumed their earnest talk, and in a short time they had Thaw in sympathy with their instructions, for he nodded his head and smiled. He seemed to be somewhat in awe of his distinguished counsel. Part of their admonition is believed to have been

(Continued on Seventh Page.)

### FEDERAL PROSECUTOR YOUNGS RESIGNS POST.

M. J. France and E. L. Garvin Are Leading Candidates for \$4,500 Office.

In response to a request from Attorney General Gregory, William J. Youngs, United States District Attorney for the eastern district of New York, comprising Long Island, sent his resignation to the Department of Justice to-day. His term expired last week. Lewis R. Bick and Samuel J. Reid, his Republican assistants, will leave office with him.

Half a dozen Democrats are working for the place, which pays \$4,500 a year. The leading candidates appear to be Assistant Corporation Counsel Melville J. France and E. L. Garvin, former president of the University Club.

### HIGHEST COURT DECIDES FOR NEWSPAPER MEN

Sets Aside Sentences for Contempt Imposed for Refusing to Reveal Source of Story.

WASHINGTON, Jan. 25.—Contempt of court sentences imposed on William L. Curtin and George Burdick of the New York Tribune because they refused to divulge sources of information of a printed story of Grand Jury investigations of customs frauds in New York were set aside to-day by the Supreme Court.

The Court did not pass upon whether the men could be compelled to state the sources of their information. It sustained their refusal to testify before a Grand Jury on the ground that they might have incriminated themselves, despite the fact that Presidential pardons had been prepared for them. The newspaper men refused to accept the pardons.

The Court to-day held that a pardon extended to a witness before a Federal Grand Jury did not make ineffective his objection to testifying lest he incriminate himself, provided he did not accept the pardon.

### ANNA HELD IS MAKING FRENCH ARMY TROUSERS

She Is Also Caring for Twenty-Five Families of Belgian Refugees.

That Anna Held is making trousers for French soldiers came out to-day in the Supreme Court when Lawyer Steinfield of No. 27 Cedar Street, in a breach of contract suit brought by Michael Leavitt, asked Justice Colman to give him until to-morrow to file an affidavit answering the complaint.

"Your Honor," he said, "the refusal of a postponement at this time would work untold hardship on my client. She isn't very busy in Paris with a number of other ladies. Your Honor, she is making trousers for the army. She is also caring for twenty-five Belgian refugee families."

Justice Colman granted the postponement.

### REFUSES TATUM'S PLEA FOR NEW DIVORCE TRIAL

Justice Decides Former Hearing at Mineola Was Amply Sufficient.

The application of John C. Tatum for a new trial of his divorce suit against his wife, Mary J. Tatum, recently decided in court in Mineola, L. I., was to-day denied by Justice Crane in the Supreme Court, Brooklyn. It was before him that the case was tried at Mineola. The basis for the petition was that the verdict of the jury was against the weight of evidence.

In his opinion Justice Crane held that there was no evidence of an "adulterous disposition" on the part of Mrs. Tatum, that testimony against her had been given by servants in contradiction to their original affidavits, and that the jury was not improperly influenced.

Are You Going South? Tobacco, cotton and decorative literature of all countries. Visit India, Brazil, Cuba, etc. at the South American Exposition, Jan. 25 to Feb. 1, 1915. Free admission. Free program and maps upon request.

### ROCKEFELLER LOST \$5,000,000 IN FUEL COMPANY, SAYS SON

Father Invested \$24,000,000 in Colorado Strike Concern, He Tells Commission.

GOT BUT 3½ PER CENT.

Officers Responsible for Labor Conditions—Oil King's Methods Revealed.

John D. Rockefeller Jr., the active head of the great interests built up by his father, appeared before the United States Industrial Commission to-day.

He made his first comprehensive answer to the charges that he was to blame for the bloody war between the Colorado Fuel and Iron Company and its workers last summer.

The young millionaire, questioned by Chairman Walsh, gave an insight into the methods of the elder Rockefeller in determining the investment of his money, and set the Rockefeller holdings in the Colorado Fuel and Iron Company at \$24,000,000, on which, he said, the return had been only 3½ per cent., less than its deposit in a savings bank would have paid.

"My father's investment in the stocks and bonds of the Colorado Fuel and Iron Company," said John D. Rockefeller Jr., "has brought him about 3½ per cent. a year. In other words, he would have received more if he had put the money in a savings bank."

Q. What was the total investment of your father in stocks and bonds in the Colorado Fuel & Iron Co.? A. He put \$24,000,000 into stocks and bonds. At present market values the investment is worth \$19,000,000. In other words, the property is worth \$4,000,000 less than when my father bought it, besides the loss of interest which he would have had from a savings bank.

Q. You hold 40 per cent. of the stock; does that mean control? A. Not stock control; that would be 51 per cent. But I have no doubt that the fact that we have 40 per cent. of the stock would not make it more difficult to get the officers and directors to consent to measures we think advisable. (Laughter—rebutted by Chairman.)

Mr. Rockefeller described the procedure of John D. Rockefeller sr. and staff in settling problems of the handling of their vast interests.

"It is as if my father," he said, "had daily conferences with his son or more trusted friends. We do not arrive at decisions by vote. The four of us meet, discuss matters and reach an agreement."

Q. How do such conferences terminate? A. Governed by the judgment of the members of the staff who have studied particular details, my father decides what he wishes to do.

Q. How, in fact, does he make his decision known? A. He says, "Buy 100,000 of those bonds."

Q. That is the method by which your father separates himself from his money? A. I am not clear as to your meaning: "Separates himself from his money."

Q. Invests his money? A. Yes, Mr. Chairman.

Q. Do you recall a letter from Jesse F. Wellborn, President of the Colorado Fuel and Iron Company, July 27, 1914, saying that his health was never better, that he was conscious of no restraint, now that he had support and co-operation? (There was an outburst)

(Continued on Second Page.)

### Young Millionaire Testifying Before Industrial Board To-Day



### EMPLOYEE CAN BE FORCED TO LEAVE LABOR UNION

U. S. Court in Annuling Kansas Coercion Law Defines Rights of Employer.

WASHINGTON, Jan. 25.—The Kansas so-called coercion statute, making it unlawful for any individual or corporation to coerce or influence any person to enter into an agreement not to join or remain a member of a labor organization as a condition of such person securing or continuing in the employment of such individual or corporation, was to-day annulled as unconstitutional by the Supreme Court.

The decision, which was regarded as of the first importance in the labor world, was announced by Justice Pitney. Strong dissenting opinions were given by Justices Holmes and Day. Justice Hughes concurred with Justice Day, leaving Chief Justice White, Justices McKenna, Vandevanter, McReynolds and Lamar concurring with Justice Pitney.

The court ruling reversed the decision of the Kansas Supreme Court and the lower court which found T. B. Coppage, a railroad official, guilty of coercion.

"The Court intimates nothing inconsistent with the right of individuals to join labor unions," said Justice Pitney. "Nor in the legitimacy of such organizations questioned so long as they conform to the laws of the land, as others are required to do. But the individual has no inherent right to join the union and still remain in the employ of one who is unwilling to employ a union man, any more than the same individual has a right to join the union without the consent of that organization."

### BURGLAR AND BULLETS STIR ROOMING HOUSE

Landlady Awakens to Find a Man With Revolver at Her Bedside.

Mrs. Ruth Fleming, landlady of a furnished rooming house at No. 137 West Eighty-fourth Street, was awakened by the sound of someone calling her name, opened her eyes and saw a man with a revolver in his hand standing by her bed. She leaped from the bed and started into the hallway. The intruder fired two shots at her, then as others began running out into the hallway he turned and disappeared through the front door. Mrs. Fleming told the police she recognized the man as a former roomer.

### THREE CONVICTS ESCAPE; GET AWAY IN TAXI

Ditch Car After Long Race, Then Send Chauffeur Home to Syracuse by Train.

SYRACUSE, N. Y., Jan. 25.—Police to-day spread a dragnet to capture three convicts who last night escaped from the county jail here after forcing a guard at the point of a gun to give up his keys. The men are Frank Cassidy, Patrick Sullivan and John Hazard. The trio received a saw and a gun from the outside. The convicts commandeered and escaped in a taxi. They ditched the stolen car at Ilion, then with Chauffeur Schwarz walked to Little Falls. There they put the auto driver on a train and kept guard over him until the cars pulled out. Schwarz got back here at 10 A. M. to-day.

### GIFFORD JURY COMPLETE.

Youth Charged With Murder Willing to Take Stand.

ALBANY, N. Y., Jan. 25.—The jury which is to decide whether Malcolm Gifford of Hudson, N. Y., is guilty of murdering Francis Clute was completed at noon to-day. Circumstantial evidence pointing to the youth as the murderer will probably constitute the State's case, as in the first trial.

It is understood that Gifford is willing to take the stand in his own behalf.

### SIXTY WITNESSES CALLED TO TELL OF FIRING ON STRIKERS

Score of Indictments for Murder Expected as Result of Grand Jury Inquiry.

### GUNMEN NOW BARRED

As Strike Spreads Sheriff Promises to Use Only Citizens as Deputies in Future.

Sixty subpoenas to appear before the Grand Jury, which will to-morrow begin its investigation into the deaths of the two strikers killed at the Roosevelt, N. J., chemical plants, were served to-day. The witnesses summoned include the foreman and several officers of the Williams & Clark chemical works, before the doors of which deputy sheriffs fired upon massed strikers. Many individuals among the strikers participating in the demonstration and neutral persons who saw the shooting have also been summoned.

There is every indication that Prosecuting Attorney Florence intends to make the Grand Jury's investigation a searching one and predictions are freely made that more than a score of indictments for murder will be found.

The strikers made partial success early to-day in their efforts to get out the men employed in the Bowker chemical plant at Bay Way, near Elizabeth. This manufactory normally employs about 200 men, but since the strike on the Liebig and Clark and Williams plants the Bowker works have taken on 200 additional laborers and pay \$1.50 a day.

To-day pickets stationed outside the plant succeeded in inducing twenty men to remain away from work. They say they will have the whole 400 out before to-morrow night.

The authorities of Union County, who have anticipated such a move, say they are prepared to deal with the situation in a rational way. Sheriff George C. Otto said that if it becomes necessary to protect property and preserve the peace he will depend on 200 reputable citizens of Union County to act as deputy sheriffs, and will not have a man from a detective agency.

It was reported to-day that one or more of the thirty-one deputies in jail at New Brunswick for the killing of two strikers last Tuesday think they are being roughly treated and are ready to "sneak" and give full details of the shooting, as well as the real identities of the prisoners, some of whom are said to be New York gunmen. To-day Lieut. John H. Allen, Chief of the Identification Bureau of the New York Police Department, will go to New Brunswick to see if he knows any of the prisoners. He is familiar with the face of every gunman of note of the city, and will take with him finger print records and other means of identification.

To-morrow about 100 residents of Roosevelt will go to New Brunswick to appear before the Grand Jury against the men.

As the facts gather they seem to absolve the strikers from all blame for Tuesday's blood-spilling. Police Chief Harrington of Roosevelt pointed out that the Williams and Clark station, where the strikers stood, was punctured with bullet holes, but that the fence which was at the back of the deputy sheriffs and is directly in front of the Williams and Clark works, showed not a single bullet mark. Chief Harrington says that this looks as if the bullets all went one way.

## BLUECHER WAS SUNK IN A GERMAN RAID TO COAST OF SCOTLAND

Germans Claim to Have Sunk a British Cruiser, but This Is Flatly Denied by the Official London Report.

### RUMOR OF ANOTHER FIGHT, SECOND GERMAN SHIP HIT

BERLIN, (via wireless to London), Jan. 25.—Destruction of a British battleship during the great naval engagement in the North Sea Sunday morning is claimed in an official statement given out here to-day.

The German war office admits the loss of the Bluecher, but declares other German cruisers engaged returned to the German naval base without material damage. The British, the statement declares, discontinued the battle 70 miles west northwest of Heligoland."

Following is the text of the official announcement: "During the advance of our armored cruisers Seydlitz, Derfflinger, Moltke and Bluecher which, accompanied by four smaller cruisers and two flotillas of torpedoboats, were steaming in the North Sea, these vessels became engaged with a British detachment composed of five battle cruisers, several smaller cruisers and twenty-six torpedoboats.

"The enemy discontinued the engagement after three hours time at a point seventy miles northwest of Heligoland, and retreated.

"According to the information available one British battle cruiser and one of our armored cruisers, the Bluecher, were sunk. All the other German ships returned to port.

"VON BERNCKE"

[It seems probable that at least twenty big sea fighters took part in the battle. The Berlin report says that in addition to the four armored cruisers there were four smaller German cruisers. Both London and Berlin agree there were five British battle cruisers and "several light cruisers." Estimating the number of seven, there were twelve British cruisers in the battle, making twenty big warships in all. The Germans estimate the number of British torpedo boat destroyers at twenty-six. They do not give the number of vessels in the German moonlight fleet.]

[The official statement from the British Admiralty contains no mention of the sinking of a British battle cruiser in the North Sea engagement. The German statement was transmitted by wireless to London, "passed" by the censor and called to New York. The Admiralty admitted that the British squadron abandoned the fight off Heligoland, but declared further pursuit was rendered extremely dangerous because of the presence of the German mine and submarine fields.]

### Raid on Coast of Scotland Object of the German War Fleet

LONDON, Jan. 25.—Keen interest was displayed in naval circles here in the Berlin official statement that the battle ceased "seventy miles west northwest of Heligoland."

If the German cruisers were steaming in the direction thus indicated by Berlin they were returning on a course which bore on the coast of Scotland. Scottish towns were hitherto supposed to be in but slight danger of attack.

A despatch to the Daily Chronicle from Chatham says that sounds of heavy firing from the sea were heard plainly there throughout yesterday morning.

[Chatham is a great English naval base on the Medway, thirty miles east-southeast of London. The firing it heard would seem to indicate another fight may have been in progress.]

Reports that a four-funnelled German cruiser, badly damaged, was sighted off the Holland coast early to-day strengthened the growing conviction here that Germany's losses in yesterday's North Sea battle were greater than indicated by the Admiralty's official statement. This odd cruiser Bluecher had been sunk and two other cruisers injured, but these two got away safely.

Dutch reports said a crippled cruiser, apparently of the type of the